

Remarks

Claims 1-6, 8, 9, 11-18 and 22-23 are pending. Claims 1, 4, 6, 9, 11, 14, 15, 22, 23, and 31 have been amended. Claim 33 has been added. Claims 7, 10, and 19-22 are cancelled.

Applicants wish to thank Examiner Langdon for the telephone interview on July 19, 2006 between Examiner Langdon and Applicants' attorney Jacob N. Erlich. During that interview, a number of the claims were discussed and it was agreed upon that with an amendment to claim 1 and the combining of claims 10 and 15 further including an amendment thereto, that the independent claims and claims that depend therefrom would be allowed. Applicants have made these changes to the above claims and minor other changes to claims 4, 6, 9, and 22 to correct for inconsistencies in terminology, as well as added dependent claim 33. In addition, Applicants have pointed out to the Examiner where in the specification the crimping terminology is found.

Claims 1-6, 8, 9 and 23-32 were rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. More particularly, the Examiner questions the basis for the term crimping as found in the claims. As agreed upon between the Examiner and Applicants' attorney, Jacob N. Erlich, crimping involves a permanent, deformation of the wedge-shaped member. In order to overcome this rejection of the claims, the Examiner is referred to paragraph 9 of the specification, the last six lines thereof wherein it is clearly stated that "The tapered wedge also has a center aperture dimensioned to receive the wire, but also has a groove extending along the length of the wedge, such that when the cylindrical member and collar are screwed together, the tapered internal recess of the collar component compresses or crimps the tapered wedge tightly around the wire. The internal surface of the wedge may additionally have rough features to further secure the wire within the wedge." (underlining added).

Claims 1-6 and 8-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sjostedt (U.S. 2003/0010966A1) in view of Mastalski et al. (U.S. 4,066,368). As pointed out above, Applicants' attorney, Jacob N. Erlich, and Examiner Langdon discussed the independent claims 1 and 10 and, in view thereof, Applicants have amended claim 1 by replacing the term cylindrical member with the term rigid member for consistency throughout the claims. In

addition, Applicants have amended claim 1 in order to clearly point out that the threaded end of the rigid member directly engages the threaded portion of the collar and further that when the rigid member and collar are screwed together, an end of the rigid member abuts an end of the tapered wedge-shaped member within the tapered internal recess of the collar such that the collar compresses or crimps the tapered wedge-shaped member about a portion of the wire.

Claim 10 has been cancelled without prejudice and limitations found therein have been added to original dependent claim 15 such that claim 15 now becomes independent claim 15 which includes the limitations of claim 10 and even further is amended to recite that the internal recess for rotatably receiving the threaded swivel allows the threaded swivel and the cylindrical member to freely rotate with respect to the mounting plate. In addition, Applicants have cancelled reference within independent claim 15 a feature allowing rotation of the member with a tool. This limitation is now found in added dependent claim 33. Claims 19, 20, and 21 were also cancelled without prejudice, as their content was presented in claims 15, 17, and 18, respectively. Claim 22 was amended without prejudice to remove content presented in claims 15 and 33. Amendments to claims 11, 14, 23, and 31 reflect alterations in dependency.

More specifically, it is now clear that within independent claim 1, the wire attachment assembly is defined in a manner such that the tapered wedge-shaped unitary member, which is disposed between the collar and the cylindrical member, has a center aperture dimensioned to receive a portion of the wire and a groove or slot which is capable of being crimped together to secure the wire in place. This takes place when the collar and rigid member are screwed together, and as clearly pointed out in the claims that an end of the rigid member abuts an end of the tapered wedge-shaped member within the tapered internal recess of the collar such that the collar compresses or crimps the tapered-wedge member about a portion of the wire.

This relationship of the components as now clearly set forth in independent claim 1 differs from the relationship of the wedge-shaped member of Mastalski et al. in which the wedge-shaped member relies upon the tensioning of the wire 12 to force the wedge-shaped member into place. In addition, the secondary reference to Mastalski fails to show the screwing together between the rigid member and collar as claimed. In view thereof, even a combining of

the Mastalski patent with the already deficient Sjostedt patent is clearly inapplicable under 35 U.S.C. § 103, and as agreed upon between Applicants' attorney, Jacob N. Erlich, and Examiner Langdon and the Examiner, independent claim 1 and the claims which depend therefrom are now allowable.

Claim 10 has been cancelled without prejudice and the subject matter contained therein has been added to claim 15 and claim 15 has been rewritten in independent form with the limitations of claim 10. With the limitations of claims 10 and 15 and further that the threaded swivel and cylindrical member engage through a center aperture in the mounting plate to allow the threaded swivel and the cylindrical member to freely rotate with respect to the mounting plate, claim 15 is now allowable. These combination of elements and their operation cannot be found in the combining of the references of Sjostedt and Mastalski. Further the turn buckle operation of Fig. 23 of Sjostedt does not operate in the same manner as Applicants' claimed invention since the mounting plate of Sjostedt secures the threaded swivel in order to permit the turn buckle operation.

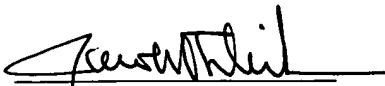
In conclusion, since the 35 USC 112 rejection has been overcome and none of the cited, either singly or in combination, references disclose the patentable claim limitations as set forth in the amended claims, and, further, that any combination of these references lead away from the present invention rather than provide an obvious extension thereof, claims 1-6, 8, 9, 11-18, and 22-33 clearly patentably define the present invention over the prior art and should be allowed. Applicants, therefore, respectfully request that the Examiner find the claims presently in this application allowable and pass this case to issue.

Since the number of claims still falls within the number of claims paid for, no additional fee claims are required. However, if further payment of a fee or extensions to time is deemed necessary, the Director is authorized to charge any deficiencies or to credit any overpayments to Deposit Account No. 03-2410.

If the Examiner has any questions, please call Applicants' Attorney, Jacob N. Erlich, at
(617) 345-3000.

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Respectfully submitted on behalf of Applicants,

By: 
Jacob N. Erlich
Reg. No. 24,338
Attorney for Applicants